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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 JOHN ROBERT DEMOS, JR.,

11 Petitioner,

12 v.

13 STATE OF WASHINGTON, et al.,

14 Respondents.
15

NO. C14-651-RSL-JPD

REPORT AND
RECOMMENDATION

16 **Bar-order litigant John Demos** filed a proposed 28 U.S.C. § 2254 habeas petition.
17 Dkt. 1. He has neither paid the filing fee nor filed an application to proceed *in forma pauperis*.
18 An Order of this Court provides for the return without filing of any petition by Mr. Demos that
19 seeks an extraordinary writ pursuant to 28 U.S.C. §§ 1651, 2253 or 2254, unless accompanied
20 by the filing fee. *See Demos v. Stanley*, MC97-0031-JLW (W.D. Wash. Mar. 13, 1997).

21 As petitioner has submitted no filing fee, the Court recommends that, pursuant to the
22 Court's Order of March 13, 1997, the Clerk be DIRECTED to administratively close this
23 matter and to strike any pending motions as moot. Moreover, Mr. Demos may not proceed
24 with a second or successive habeas petition here unless and until the Ninth Circuit authorizes
25 its filing. *See* 28 U.S.C. § 2244(b)(3)(A).
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